



Order Filed on May 24, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

CAPONE & KEEFE, PC
Marc C. Capone, Esq.
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Spring Lake Heights, NJ 07762
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Attorney for Debtor
MC 4795

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

IN RE:

BANKRUPTCY NO. 13-31295 (KCF)

Michael Leineck

CHAPTER 13

**ORDER TO AVOID JUDGMENT LIEN AND RECLASSIFY THE PROOF OF CLAIM
OF PATRICK DURNING FROM SECURED TO UNSECURED**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: May 24, 2018


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

(Page 2)

Debtor(s): **Michael Leineek**

Case No.: **13-31295 (KCF)**

Caption of Order: Order to Avoid Judgment Lien and Reclassify Patrick Durning's Proof of
Claim from Secured to Unsecured

Upon consideration of the Motion filed by, **Michael Leineek**, through his attorney, Marc C. Capone seeking entry of an Order to Reclassify Patrick Durning's Proof of Claim from Secured to unsecured, and the Court having considered the moving papers and all objections, if any, as hereinafter set forth, and for good cause shown, it is

ORDERED that the claim set forth below is hereby reclassified from a secured claim to a general unsecured claim:

Claim No.: 6	Patrick Durning	\$6,204.61
	160 Forest Haven Court	
	Freehold, NJ 07728	

And it is further

ORDERED that the judicial lien of Patrick Denning be and hereby is avoided; and it is further

ORDERED that the Debtor may avoid the above referenced lien and have same cancelled of record as to the property, provided the Debtor is granted a Discharge in this Chapter 13 case or in a succeeding Chapter 7 case, in the event of conversion to Chapter 7 under Title 11 of the United States Code.

Imaged Certificate of Notice Page 3 of 3

United States Bankruptcy Court
District of New JerseyIn re:
Michael Leineek
DebtorCase No. 13-31295-KCF
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: May 24, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 26, 2018.

db Michael Leineek, 48 Agress Rd, Millstone Township, NJ 08535-1137

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 26, 2018

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 24, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
 Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
 Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
 Andrew L. Spivack on behalf of Creditor RESIDENTIAL CREDIT SOLUTIONS AS SERVICER FOR THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE, et.al. nj.bkecf@fedphe.com
 Andrew L. Spivack on behalf of Creditor RESIDENTIAL CREDIT SOLUTIONS LLC nj.bkecf@fedphe.com
 Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWBMS INC., CHL MORTGAGE PASS-THROUGH TRUST 2006-17, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-17 bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com
 Denise E. Carlon on behalf of Creditor RESIDENTIAL CREDIT SOLUTIONS LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Jason Brett Schwartz on behalf of Creditor NCEP, LLC jschwartz@mesterschwartz.com
 Jennifer R. Gorchow on behalf of Creditor RESIDENTIAL CREDIT SOLUTIONS AS SERVICER FOR THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE, et.al. nj.bkecf@fedphe.com
 John R. Morton, Jr. on behalf of Creditor Santander Consumer USA, Inc. ecfmil@mortoncraig.com, mortoncraigecf@gmail.com
 Joshua I. Goldman on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWBMS INC., CHL MORTGAGE PASS-THROUGH TRUST 2006-17, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-17 jgoldman@kmlawgroup.com, bkgroup@kmlawgroup.com
 Joshua I. Goldman on behalf of Creditor RESIDENTIAL CREDIT SOLUTIONS LLC jgoldman@kmlawgroup.com, bkgroup@kmlawgroup.com
 Marc C. Capone on behalf of Debtor Michael Leineek mcapone@caponeandkeefe.com, docs@caponeandkeefe.com

TOTAL: 13